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UNITED STATES DISTR	RICT COURT ELECTRONICALLY FILED
SOUTHERN DISTRICT OF NEW YORK DOC #:	
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PASHA S. ANWAR et al.	Contraction of the contraction o
Plaintiffs,	) )
<b>v</b> .	No. 09 CV 0118 (Bhatia)
FAIRFIELD GREENWICH LIMITED, et al.	) )
Defendants.	) )
	) ) )
This Document Relates To: Bhatia v. Standard Chartered Int'l (USA) Ltd. et al., No. 09 CV 2410	) ) ) x

## STIPULATION AND

## ORDER

WHEREAS, on March 16, 2009, plaintiffs Jitendra Bhatia, Gopal Bhatia, Kishanchand Bhatia, Jayshree Bhatia and Mandakini Gajaria (the "Bhatia Plaintiffs") filed a complaint in the above-captioned action in the United States District Court for the Southern District of New York;

WHEREAS, the *Bhatia* Plaintiffs delivered by hand a copy of the complaint to the New York office of Standard Chartered Bank on March 31, 2009 and to the registered office of Standard Chartered PLC on April 28, 2009;

WHEREAS, Standard Chartered International (USA) Ltd. and Standard Chartered
PLC (the "Standard Chartered Defendants") have taken no position as to whether there has been
sufficient service of process in this action with respect to either of the Standard Chartered

Defendants and otherwise reserve any and all defenses to the action, including those defenses provided under Rule 12(b) of the Federal Rules of Civil Procedure;

WHEREAS, on May 6, 2009, the Court consolidated Bhatia, et al. v. Standard

Chartered International (USA) et al., No. 09-CV-2410 with Anwar, et al. v. Fairfield Greenwich

Limited, et al., No. 09-CV-0118 for all pretrial purposes;

WHEREAS, on September 18, 2009, the *Bhatia* Plaintiffs filed an amended complaint (the "*Bhatia* Amended Complaint");

WHEREAS, by Order dated October 30, 2009, Magistrate Judge Theodore Katz so ordered a stipulation by the parties extending the Standard Chartered Defendants' time to answer or otherwise respond to the *Bhatia* Amended Complaint to up to and including November 16, 2009;

WHEREAS, on November 12, 2009, counsel to the Bhatia Plaintiffs filed a complaint in the United States District Court for the Southern District of New York, captioned Tradewaves Ltd. v. Standard Chartered International (USA) Ltd., No. 09-CV-9423 (the "Tradewaves Complaint"), which contains factual allegations and claims against the Standard Chartered Defendants that are similar in nature to those alleged in the Bhatia Amended Complaint; and

WHEREAS, on November 13, 2009, counsel to the Bhatia Plaintiffs informed counsel to the Standard Chartered Defendants of the filing of the Tradewaves Complaint, which has not yet been served;

IT IS HEREBY STIPULATED AND AGREED by and among the undersigned parties through their respective counsel:

1. Without prejudice to any defense the Standard Chartered Defendants may raise, including those provided under Rule 12(b) of the Federal Rules of Civil Procedure, the time for

the Standard Chartered Defendants to answer or otherwise respond to the Bhatia Amended Complaint is temporarily adjourned pending further discussions among counsel to the parties concerning (i) service of the Tradewaves Complaint, (ii) the nature and timing of responses by the Standard Chartered Defendants to the Bhatia Amended Complaint and the Tradewaves Complaint, and (iii) potential coordination issues affecting both cases.

2. On or before December 1, 2009, the parties will submit for the Court's consideration a stipulation and proposed order addressing the subjects set forth in paragraph 1, or if no agreement can be reached, will seek the assistance of Magistrate Judge Katz to resolve any open issues.

Dated: New York, New York

November 13, 2009

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Attorney for Defendants Standard Chartered International (USA) Ltd. and Standard

Chartered PLC

SO ORDERED. 13 November 2009

HON. VICTOR MARRERO, U.S.D.J.